

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

| | | |
|---|---|-------------------------------|
| VONAGE HOLDINGS CORPORATION, | : | |
| Plaintiff, | : | 04 Civ. 4306 (DFE) (ECF CASE) |
| -against- | : | |
| THE NEW YORK STATE PUBLIC SERVICE | : | NOTICE OF MOTION FOR |
| COMMISSION, and WILLIAM M. FLYNN, | : | PERMANENT INJUNCTIVE |
| LEONARD A. WEISS, THOMAS J. DUNLEAVY, | : | RELIEF |
| and NEAL N. GALVIN in their official capacities | : | |
| as the Commissioners of the New York State | : | |
| Public Service Commission and not as individuals, | : | |
| Defendants. | : | |

-----X

PLEASE TAKE NOTICE THAT Plaintiff Vonage Holdings Corporation, by and through undersigned counsel, respectfully moves the Court for Permanent Injunctive Relief. The grounds for this motion are set forth in the accompanying memorandum of law.

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

By: /s Christopher J. Carney
 Ky E. Kirby
 William B. Wilhelm
 Michael C. Sloan
 Christopher J. Carney (CC0388)

3000 K Street, N.W.
 Suite 300
 Washington, D.C.
 (202) 424-7500
Attorneys for Vonage Holdings Corporation

Dated: December 20, 2004
 Washington, D.C.